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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,895	09/23/2003	Ines Antje Dahne-Steuber	CRNC.107553	8641

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EXAMINER

INGBERG, TODD D

ART UNIT	PAPER NUMBER
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2193

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/667,895

Applicant(s)

DAHNE-STEUBER ET AL.

Examiner

Todd Ingberg

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/23/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1 – 47 have been examined.

Priority

1. Domestic priority based on 60/498,282 has been granted. The effective filing date is August 28, 2003.

Drawings

2. Figure 4 is objected to because the size of the characters is too small and the figure is too close to the margins.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Legal words like “method” and “system” should not be present in the title.

4. The Abstract is objected to because words like “method” and “system” should not be present.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 7, 18, 29, 36 and 43 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. How to implement a limitation “*accessible at least substantially simultaneously*.”, lacks critical or essential meaning to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*,

Art Unit: 2193

527 F.2d 1229, 188 USPQ 356 (CCPA 1976). If Applicant elects to argue the limitation. The argument must be more than case law. The clear and concise meaning must be provided to be deemed a fully compliant response. Term support from substantive references (not standard English dictionary definitions pieced together) should be provided.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 7, 18, 29, 36 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation “*accessible at least substantially simultaneously.*” does not have a clear meaning to one of ordinary skill in the art.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 23 – 29 and 44 – 47 are rejected under 35 U.S.C. 101 because

The current focus of the Patent Office in regard to statutory inventions under 35 U.S.C. § 101 for method claims and claims that recite a judicial exception (software) is that the claimed invention recite a practical application. Practical application can be provided by a physical transformation or the producing of a tangible result. No physical transformation is recited and additionally, the final result of the claim is for translation, which is not a tangible result because the result is not clearly claimed to be stored on a computer readable medium.

Art Unit: 2193

The following link on the World Wide Web is for the United States Patent And Trademark Office (USPTO) policy on 35 U.S.C. §101.

http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf

Common ways to overcome this rejection include adding an action word such as writing, updating or displaying, etc. to a computer readable medium. The result of the invention is being tangibly embodied.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 2, 9, 11-13, 20, 22-24, 30-31 and 37-38 rejected under 35 U.S.C. 102(b) as being anticipated by USPN # 5,664,206, Murrow et al issued September 2, 1997.

Claim 1

Murrow anticipates a method for generating a software translation (Murrow, Abstract), comprising: receiving a source software component (Murrow, Figure 3); associating run-time translation resources from a group of language translation sets (Murrow, Figure 10) with the source software component (Murrow, Figure 3); and storing the run-time translation resources for selective installation in a software application associated with the source software component (Murrow, col 2, line 1 – 3, Col 7, line 10 – 35, and Figure 17).

Claim 2

A method according to claim 1, wherein the source software component comprises application code. (Murrow, col 1, lines 55-65).

Claim 9

A method according to claim 1, further comprising syntactically parsing the source component and the set of run-time translation resources. (Murrow, Figure 4, #115 and Figure 21).

Art Unit: 2193

Claim 11

A method according to claim 1, wherein the selective installation of the run-time translation resources comprises testing for regional settings on a client machine. (Morrow, col 2, lines 1 – 3, col 7, lines 10-35, Figure 17).

Claim 12

A system for generating a software translation, comprising: an input interface receiving a source software component; a parsing engine, communicating with the input interface, the parsing engine associating run-time translation resources from a group of language translation sets with the source software component; and code storage, communicating with the parsing engine, the code storage storing the run time translation resources for selective installation in a software application associated with the source software component.

See the rejection for claims 1, 9 and 11.

Claim 13

A system according to claim 12, wherein the source software component comprises application code. See the rejection for claim 2.

Claim 23

A system for generating a software translation, comprising: input means for receiving a source software component;

parsing means, communicating with the input means, the parsing means associating runtime translation resources from a group of language translation sets with the source software component; and

storage means, communicating with the parsing means, the storage means for storing the run-time translation resources for selective installation in a software application associated with the source software component. See the rejection for claim 12.

Claim 24

A system according to claim 23, wherein the source software component comprises application code. See the rejection for claim 2.

Claim 30

A computer-readable medium, the computer-readable medium being readable to execute a method for generating a software translation, the method comprising: receiving a source software component; associating run-time translation resources from a group of language translation sets with the source software component; and storing the run-time translation resources for selective installation in a software application associated with the source software component.

See the rejection for claim 1.

Claim 31

A computer-readable medium according to claim 30, wherein the source software component comprises application code. See the rejection for claim 2.

Art Unit: 2193

Claim 37

Run-time translation resources for incorporation into a non-localized application to generate a language-translated version of the non-localized application, the run-time translation resources being generated according to a method comprising:

receiving a source software component; parsing the source software component for language-dependent content; associating the run-time translation resources with the source software component based on the parsing of the source software component; and

storing the run-time translation resources for selective installation in a software application associated with the source software component.

See the rejection for claim 12.

Claim 38

The run-time translation resources according to claim 37, wherein the source software component comprises application code. See the rejection for claim 2.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3- 7, 10, 14 – 18, 21, 25 – 29, 32 – 36, 39 – 47 are rejected under 35 U.S.C.

103(a) as being unpatentable over USPN # 5,664,206 Murrow et al issued September 2, 1997 in view of USPN # 6,035, 121 Chiu et al, issued March 7, 2000.

Murrow does not teach implementation using Dynamic Link Libraries (DLL). It is Chiu who teaches the use of DLL in localizing computer programs. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Murrow and Chiu because DLL implemented localization provides a mechanism that can be distributed.

Claim 3

A method according to claim 1, wherein the run-time translation resources comprise dynamic link libraries. (Chiu, Abstract, DLL and Figure 1).

Art Unit: 2193

Claim 4

A method according to claim 3, wherein the dynamic link libraries comprise non executable resources. (Chiu, Figure 3 #135).

Claim 5

A method according to claim 4, wherein the non-executable resources comprise translated text strings. As per claim 4.

Claim 6

A method according to claim 5, wherein the group of language translation sets comprises a list of translated text strings in a plurality of languages. Murrow, col 7, lines 5-20, I18N and L10N.

Claim 7

A method according to claim 6, wherein the group of language translation sets are accessible at least substantially simultaneously. Murrow, Figure 10.

Claim 10

A method according to claim 1, wherein the storing comprises storing runtime translation resources in a database. Murrow, Figure 4, #115 and Figure 21.

Claim 14

A system according to claim 12, wherein the run-time translation resources comprise dynamic link libraries. See the rejection for claim 3.

Claim 15

A system according to claim 14, wherein the dynamic link libraries comprise non executable resources. See the rejection for claim 4.

Claim 16

A system according to claim 15, wherein the non-executable resources comprise translated text strings. See the rejection for claim 5.

Claim 17

A system according to claim 16, wherein the group of language translation sets comprises a list of translated text strings in a plurality of languages. See the rejection for claim 6.

Claim 18

A system according to claim 17, wherein the group of language translation sets are accessible at least substantially simultaneously. See the rejection for claim 7.

Claim 20

A system according to claim 12, wherein the parsing engine syntactically parses the source component and the run-time translation resources. See the rejection for claim 9.

Art Unit: 2193

Claim 21

A system according to claim 12, wherein the code storage comprises a database storing the run-time translation resources. See the rejection for claim 10.

Claim 22

A system according to claim 12, wherein the selective installation of the run-time translation resources comprises testing for regional settings on a client machine. See the rejection for claim 11.

Claim 25

A system according to claim 23, wherein the run-time translation resources comprise dynamic link libraries. See the rejection for claim 3.

Claim 26

A system according to claim 25, wherein the dynamic link libraries comprise non executable resources. See the rejection for claim 4.

Claim 27

A system according to claim 26, wherein the non-executable resources comprise translated text strings. See the rejection for claim 5.

Claim 28

A system according to claim 27, wherein the group of language translation sets comprises a list of translated text strings in a plurality of languages. See the rejection for claim 6.

Claim 29

A system according to claim 28, wherein the group of language translation sets are accessible at least substantially simultaneously. See the rejection for claim 7.

Claim 32

A computer-readable medium according to claim 30, wherein the run-time translation resources comprise dynamic link libraries. See the rejection for claim 3.

Claim 33

A computer-readable medium according to claim 32, wherein the dynamic link libraries comprise non-executable resources. See the rejection for claim 4.

Claim 34

A computer-readable medium according to claim 33, wherein the non-executable resources comprise translated text strings. See the rejection for claim 5.

Art Unit: 2193

Claim 35

A computer-readable medium according to claim 34, wherein the group of language translation sets comprises a list of translated text strings in a plurality of languages. See the rejection for claim 6.

Claim 36

A computer-readable medium according to claim 35, wherein the group of language translation sets are accessible at least substantially simultaneously. See the rejection for claim 7.

Claim 39

The run-time translation resources according to claim 37, wherein the run-time translation resources comprise dynamic link libraries. See the rejection for claim 3.

Claim 40

The run-time translation resources according to claim 39, wherein the dynamic link libraries comprise non-executable resources. See the rejection for claim 4.

Claim 41

The run-time translation resources according to claim 40, wherein the non-executable resources comprise translated text strings. See the rejection for claim 5.

Claim 42

The run-time translation resources according to claim 41, wherein the associating of the run-time translation resources comprises selecting from a list of translated text strings in a plurality of languages. See the rejection for claim 6.

Claim 43

The run-time translation resources according to claim 42, wherein the run-time translation resources associated with the plurality of languages are accessible at least substantially simultaneously. See the rejection for claim 7.

Claim 44

A localized application, the localized application being generated according to a method comprising: selectively receiving run-time translation resources from a group of language translation sets, the group of language translation sets being at least substantially simultaneously accessible; and incorporating the run-time translation resources in the localized application. See the rejection for claims 1 and 7.

Claim 45

A localized application according to claim 44, wherein the run-time translation resources comprise dynamic link libraries. See the rejection for claim 2.

Art Unit: 2193

Claim 46

A localized application according to claim 45, wherein the dynamic link libraries comprise non-executable resources. See the rejection for claim 3.

Claim 47

A localized application according to claim 46, wherein the non-executable resources comprise translated text strings. See the rejection for claims 4 and 5.

14. Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN # 5,664,206 Murrow et al issued September 2, 1997.

Rejection for claims 8 and 19

Murrow teaches a network and Murrow teaches installing (claim 11). Murrow does not explicitly teach installing the results over a network connection, The results being intended on a platform other than where the toolkit (Murrow, target - client). Figure 12B Murrow teaches Server. Therefore, it would have been obvious to one of ordinary skill in the art to implement Murrow using a Client Server architecture. Because, the transfer of the results would be quicker.

Claim 8

A method according to claim 1, wherein the selective installation is executed via a network connection.

Claim 19

A system according to claim 12, wherein the selective installation is executed via a network connection.

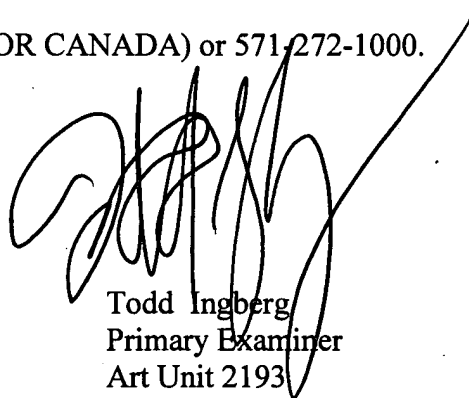
Correspondence Information

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

Art Unit: 2193

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Todd Ingberg
Primary Examiner
Art Unit 2193

TI